

ORIGINAL



ASSOCIATION FOR LOCAL TELECOMMUNICATIONS SERVICES

EX PARTE OR LATE FILED

January 28, 2000

Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C.

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

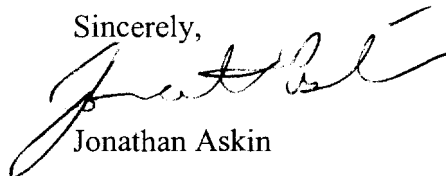
Re: **Notice of Ex Parte Presentation** in CC  
Docket No. 00-4, *Application of SBC  
Communications Inc. Pursuant to Section 271 of the  
Telecommunications Act of 1996 to Provide In-  
Region, InterLATA Services in Texas*

Dear Secretary Salas,

Pursuant to Section 1.1206(a) of the Commission's Rules, 47 C.F.R. 1.1206(a), this letter is to provide notice of an *ex parte* meeting by Jonathan Askin of the Association for Local Telecommunications Services, Ross Buntrock of Kelley Drye and Warren, Tom Koutsky of Covad Communications, Jim Falvey of e.spire Communications, Christine Mailloux of Rythms NetConnections, and Robin Casey, Eric Drummond, and Susan Gentz of Casey, Gentz & Sifuentes in the above-referenced proceeding on Thursday, January 27, 2000. The parties met with Audrey Wright, Bill Dever, Jessica Rosenworcel, Margaret Egler, Claire Blue, Claudia Fox, Daniel Shiman, John Stanley, and Bill Agee of the Common Carrier Bureau's Policy Division. During the meeting, the parties discussed a variety of issues related to SBC's application to provide interLATA services in Texas. The substance of the discussion is set forth in the attached document.

Should you have any questions about this matter, please call me at 969-2597. An original and one copy of this letter is being submitted to you for inclusion in the public record.

Sincerely,



Jonathan Askin

cc: Audrey Wright  
Bill Dever  
Jessica Rosenworcel  
Margaret Egler  
Claire Blue  
Claudia Fox  
Daniel Shiman  
John Stanley  
Bill Agee

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**ALTS**  
**SWBT 271 Application**  
**CC Docket No. 00-4**  
**January 27, 2000**

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# OVERVIEW

- SWBT fails to provide nondiscriminatory interconnection and access to:
  - OSS
  - Collocation
  - Interconnection trunks
  - Unbundled loops
- Need for Antibacksliding and Fresh Look

# OSS

- Continued reliance on manual processes harms CLECs and end-users
  - Routinely misses FOC dates
  - Orders fall out for manual handling
  - Unable to coordinate related orders
  - Manual Process Skews time stamps and affects performance measurements
  - CLECs often receive multiple FOCs, creating
    - uncertainty in provisioning interval
    - skewing performance measures.
  - Problems occur even after service provisioned
    - *e.g.*, double billing of end-user

# OSS (cont'd)

- SWBT does not adequately communicate *ad hoc* changes in policies resulting in confusion in OSS processes
- Telcordia Report is inadequate
  - Telcordia closed issues without being able to confirm whether issue could recur
  - Telcordia analysis ended when part of OSS process resulted in manual intervention
  - No evidence that SWBT can accommodate commercial volumes
  - No test of LEX (CLECs' electronic interface)
  - No test of back office systems

## **OSS (cont'd)**

- Problems processing supplemental orders
- Lack of user identification codes
- Under staffing LSC and Account Teams

# COLLOCATION

- Unreasonable restrictions on access to, and use of, collocation space, *e.g.*, SWBT's "wall around its equipment" for cageless collocation arrangements
  - CLECs required to pay for lesser cost of the wall or a security camera, which will cause CLECs to have to argue about cost on a CO by CO basis
  - CLEC access to SWBT's equipment will inevitably be hampered by such a partition

# Interconnection Trunks

- SWBT repeatedly limits CLEC ability to order sufficient numbers of trunks -- SWBT does not accept CLEC trunking forecasts -- CLECs forced to turn away customers
- SWBT does not provision interconnection trunks on a timely basis
- SWBT cannot provision trunks in sufficient numbers



# UNBUNDLED LOOPS

- Hot cut performance is deficient because SWBT fails to follow proper loop provisioning procedures
- Regularly fails to meet FOC dates
- Unable to provide fully functional, automated OSS to CLECs at parity with functionality SWBT provides to its own retail customers
  - Critical preordering, ordering, and provisioning systems rely on manual processing

# DSL LOOPS

- SWBT's data is facially inadequate to support its claim that SWBT is performing adequately on advanced services
  - Performance measures for DSL loops were adopted in Dec. 1999, but no data yet and cannot know if performance measures adequate without data
- CLEC data indicates that SWBT routinely misses FOCs and loop installation dates
  - Loops not installed on time can take more than an additional month due to manual process that fails to queue these loops for installation

## DSL LOOPS (cont'd)

- Only interim arrangements exist for provisioning DSL-capable loops
- SWBT delayed CLEC implementation
- Uncertainty surrounding discriminatory effects of “Project Pronto” (SWBT’s aDSL rollout)
- Discriminatory treatment of CLECs *vis-à-vis* SWBT’s Advanced Services Affiliate

# **Unavailability of Raw Data to Validate SWBT Performance**

- CLECs do not have reasonable access to raw data making it difficult to determine accuracy of SWBT performance measurements

# ANTIBACKSLIDING

- FCC must vigilantly guard against post-entry backsliding
- Many issues still not resolved in Texas, *e.g.*, DSL loop provisioning, new UNE provisioning
- Uncertain Effects of “Project Pronto”

# **ANTIBACKSLIDING (cont'd)**

- If SWBT found to be at fault for outage, SWBT should be required to notify CLEC customer to alleviate damage to CLEC reputation
- Three-tiered penalty approach to curb anti-competitive behavior:
  - Mandated rate reductions
  - Suspension of 271 authority
  - Material fines

# **FRESH LOOK**

- Fresh look opportunities must accompany any grant of authority
- Excessive termination penalties will stifle competition
- Changed circumstances clearly warrant fresh look